

## Message Text

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ACTION DLOS-09

INFO OCT-01 ARA-10 ISO-00 ACDA-12 AGRE-00 AID-05  
CEA-01 CEQ-01 CG-00 CIAE-00 COME-00 DODE-00  
DOTE-00 EB-08 EPA-01 SOE-02 DOE-15 FMC-01 TRSE-00  
H-01 INR-10 INT-05 IO-13 JUSE-00 L-03 NSAE-00  
NSC-05 NSF-01 OES-09 OMB-01 PA-01 PM-05 SP-02  
SS-15 ICA-11 OIC-02 DOEE-00 /150 W  
-----093934 041249Z /50

P 032025Z AUG 78  
FM AMEMBASSY MONTEVIDEO  
TO SECSTATE WASHDC PRIORITY 6975  
INFO USUN NEW YORK PRIORITY 433

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E.O. 11652: NA  
TAGS: PLOS, UY  
SUBJ: LOS REVIEW OF GOU VIEWS ON RESUMED SESSION ISSUES

REF: A) MONTEVIDEO 2360 B) STATE 188840 C) STATE 161269  
D) STATE A-1211 E) RICHARDSON MAY 22 STATEMENT  
F) ICA WIRELESS ARF-11 (7/31/78) G) STATE 189988

1. CHARGE AND EMBASSY LOS OFFICER CALLED ON CHIEF OF GOU  
DELEGATION TO THE SEVENTH SESSION OF THE LOS CONFERENCE  
(AND ALSO VICE FONMIN) JULIO C. LUPINACCI GABRIEL AUGUST 2.  
CALL SERVED TO PRESENT U.S. POSITION OUTLINED IN REF A,  
TO ASSURE THAT THE GOU HAD CONSIDERED U.S. VIEWS PRESENTED  
BY AMBASSADOR RICHARDSON IN HIS MAY 22 PRESS CONFERENCE,  
AND TO PASS RECENT ICA WIRELESS REPORTS ON THE U.S. LOS  
POSITION AND THE UPCOMING RESUMED SESSION. OUR RECEPTION  
BY AMBASSADOR LUPINACCI WAS MOST CORDIAL.

2. IN THE COURSE OF THE DISCUSSION OF LOS ISSUES LUPINACCI  
MADE THE FOLLOWING POINTS:  
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---A) URUGUAY AGREES THAT THE IRISH FORMULA FOR  
DEFINITION OF THE EXTENT OF THE CONTINENTAL MARGIN IS THE  
BEST AVAILABLE AND BELIEVES THAT, IN SPITE OF SOME  
COMPLEXITIES, IT SHOULD SERVE WELL AS A BASIS FOR JUDICIAL  
DETERMINATION UNDER A GENERAL TREATY. URUGUAY SEES ITS  
OWN INTERESTS BEST ASSURED BY THE IRISH DEFINITION AS IT

WOULD AFFECT THE AREA BETWEEN THE 200 MILE LIMIT AND THE APPROXIMATELY 280 MILE MAXIMUM EXTENTION OF ITS OWN MARGIN.

---B) LUPINACCI AGREED THAT WHILE THE FORMULA MUST BE SOMEWHAT ARBITRARY, THE CHOICE OF A FIVE-YEAR PERIOD OF GRACE BEFORE REQUIRING REVENUE SHARING OF FIRMS UNDERTAKING DEEP SEABED MINING SEEMED REASONABLE FOR REASONS SIMILAR TO OURS. HE FURTHER AGREED THAT SOME RATE SHOULD BE APPLIED AFTER FIVE YEARS WHICH WOULD BE INCREASED TO AN AGREED MAXIMUM.

---C) HE INSISTED ON A JURIDICAL POINT (APPARENTLY ALREADY DISCUSSED IN THE DRAFTING OF THE ICNT) THAT RESIDUAL ECONOMIC RIGHTS TO ECONOMIC ZONE RESOURCES SHOULD REMAIN WITH THE COASTAL STATE, RATHER THAN BEING LIMITED TO SPECIFICALLY ENUMERATED RIGHTS UNDER THE TREATY.

---D) HE WAS PLEASED WITH THE VIEW, RECENTLY EXPRESSED BY DEPUTY CHIEF NEGOTIATOR ALDRICH, THAT THE U.S. HAS MOVED MORE TOWARD RECOGNIZING THAT THIS IS A VERY COMPLEX ENDEAVOR THAT IS GOING TO TAKE A LONG TIME AND THE U.S. IS PREPARED TO STICK WITH IT. HE THOUGHT THAT THIS STANCE WOULD PROMOTE REASONED PROGRESS ON OUTSTANDING ISSUES.

---E) ON SCIENTIFIC INVESTIGATION WITHIN THE ECONOMIC ZONE, LUPINACCI SAID THE GOU POSITION WAS ONE ACCOMMODATING LIMITED OFFICIAL USE

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RELATIVELY FREE RESEARCH, WHILE RETAINING ULTIMATE RIGHT OF REFUSAL AND RIGHT TO FULL KNOWLEDGE OF THE INTENT OF THE RESEARCH.

3. LUPINACCI'S COMMENTS WERE OBVIOUSLY NOT A FULL RECOUNTING OF POINTS AT ISSUE. HOWEVER, HIS APPROACH CONVEYED BROAD AGREEMENT WITH THE U.S. LOS POSITION, DOWNPLAYING THE POINTS OF DIFFERENCE LIKELY TO ARISE IN FURTHER DEFINITION OF THE ISSUES UNDER NEGOTIATION. CHEEK

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NNN

## Message Attributes

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**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW OF THE SEA, MEETING REPORTS  
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**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Document Source:** CORE  
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**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Office:** ACTION DLOS  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
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**Reference:** 78 MONTEVIDEO 2360, 78 STATE 188840, 78 STATE 161269  
**Retention:** 0  
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**Review Content Flags:**  
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**Review Event:**  
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**Review Transfer Date:**  
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**Status:** NATIVE  
**Subject:** LOS REVIEW OF GOU VIEWS ON RESUMED SESSION ISSUES  
**TAGS:** PLOS, UY  
**To:** STATE  
**Type:** TE  
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**Review Markings:**  
Sheryl P. Walter  
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